

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 3332

BY DELEGATES HANSHAW (MR. SPEAKER), C. PRITT AND

VANCE

(BY REQUEST)

[Passed March 11, 2023; in effect ninety days from passage.]

1 AN ACT to amend and reenact §3-1-16 of the Code of West Virginia, 1931, as amended; to amend
2 and reenact §50-1-2, §50-1-8, §50-1-9, and §50-1-9a of said code; to amend said code
3 by adding thereto a new section, designated §50-1-9c; to amend and reenact §51-2-1 of
4 said code; and to amend and reenact §51-2A-3 and §51-2A-6 of said code; all relating
5 generally to judicial officers and judicial staff; establishing runoff elections for circuit court
6 judges in certain circumstances; establishing the number of magistrates per county before
7 and after a date certain; establishing magisterial term length and election dates; setting
8 forth process for Supreme Court of Appeals to undertake magistrate caseload study and
9 submit administrative order regarding magistrate allocation; eliminating limit on maximum
10 number of magistrates; eliminating restriction against reducing number of magistrates;
11 removing payment of magistrates salaries based on population; establishing certain
12 magistrate staff salaries and payment periods; authorizing additional magistrate assistants
13 per magistrate based on workload, subject to certain restrictions; altering the county
14 composition of certain circuit court circuits; establishing the number of circuit court judges
15 per circuit before and after a date certain; providing for concurrent jurisdiction in single
16 judge circuit; altering the county composition of certain family court circuits; establishing
17 the number of family court judges per family court circuit before and after a date certain;
18 establishing salaries of family court judges; establishing certain family court staff salaries
19 and payment periods; permitting Supreme Court of Appeals to increase number of family
20 case coordinators; authorizing the Supreme Court of Appeals to create staff classifications
21 and to appoint additional support staff to family court judges based on workload, subject
22 to certain restrictions; and providing internal effective dates.

Be it enacted by the Legislature of West Virginia:

CHAPTER 3. ELECTIONS.

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-17. Election of circuit judges; county and district officers; magistrates.

1 (a) There shall be elected, at the time of the primary election to be held in 2016, and every
2 eighth year thereafter, one judge of the circuit court of every judicial circuit entitled to one judge,
3 and one judge for each numbered division of the judicial circuit in those judicial circuits entitled to
4 two or more circuit judges; and at the time of the primary election to be held in 2016, and in every
5 fourth year thereafter, the number of magistrates prescribed by law for the county. Beginning with
6 the election held in the year 2016, an election for the purpose of electing judges of the circuit
7 court, or an election for the purpose of electing magistrates, shall be upon a nonpartisan ballot
8 printed for the purpose.

9 (b) There shall be elected, at the general election to be held in 1992, and every fourth year
10 thereafter, a sheriff, prosecuting attorney, surveyor of lands, and the number of assessors
11 prescribed by law for the county; and at the general election to be held in 1990, and every second
12 year thereafter, a commissioner of the county commission for each county; and at the general
13 election to be held in 1992, and every sixth year thereafter, a clerk of the county commission and
14 a clerk of the circuit court for each county.

15 (c) Effective with the primary election of 2016, all elections for judge of the circuit courts in
16 the respective circuits and magistrates in each county will be elected on a nonpartisan basis and
17 by division as set forth more fully in article five of this chapter.

18 (d) Beginning with the judicial election in 2024, and in every judicial election thereafter, if
19 no candidate in a division for judge of a circuit court receives more than 30 percent of the votes
20 cast in the election, there shall be a runoff election at the subsequent general election between
21 the two candidates who received the highest and next-highest number of votes cast in that
22 division.

CHAPTER 50. MAGISTRATE COURTS.

ARTICLE 1. COURTS AND OFFICERS.

§50-1-2. Number of magistrates.

1 (a) The number of magistrates to be elected in each county of this state shall be
2 determined in accordance with the provisions of this section.

3 (b) Beginning on the effective date of this subsection and until December 31, 2024, the
4 number of magistrates in each county of the state shall be as follows:

5 (1) Barbour County shall have two magistrates;

6 (2) Berkeley County shall have six magistrates;

7 (3) Boone County shall have two magistrates;

8 (4) Braxton County shall have two magistrates;

9 (5) Brooke County shall have two magistrates;

10 (6) Cabell County shall have seven magistrates;

11 (7) Calhoun County shall have two magistrates;

12 (8) Clay County shall have two magistrates;

13 (9) Doddridge County shall have two magistrates;

14 (10) Fayette County shall have four magistrates;

15 (11) Gilmer County shall have two magistrates;

16 (12) Grant County shall have two magistrates;

17 (13) Greenbrier County shall have three magistrates;

18 (14) Hampshire County shall have two magistrates;

19 (15) Hancock County shall have three magistrates;

20 (16) Hardy County shall have two magistrates;

21 (17) Harrison County shall have five magistrates;

22 (18) Jackson County shall have two magistrates;

23 (19) Jefferson County shall have three magistrates;

24 (20) Kanawha County shall have 10 magistrates;

25 (21) Lewis County shall have two magistrates;

- 26 (22) Lincoln County shall have two magistrates;
- 27 (23) Logan County shall have three magistrates;
- 28 (24) Marion County shall have four magistrates;
- 29 (25) Marshall County shall have three magistrates;
- 30 (26) Mason County shall have two magistrates;
- 31 (27) McDowell County shall have three magistrates;
- 32 (28) Mercer County shall have five magistrates;
- 33 (29) Mineral County shall have two magistrates;
- 34 (30) Mingo County shall have three magistrates;
- 35 (31) Monongalia County shall have four magistrates: *Provided*, That effective July 1, 2023,
- 36 Monongalia County shall have five magistrates, and the initial appointment for the additional
- 37 magistrate shall be made in accordance with the provisions of §50-1-6 of this code;
- 38 (32) Monroe County shall have two magistrates;
- 39 (33) Morgan County shall have two magistrates;
- 40 (34) Nicholas County shall have three magistrates;
- 41 (35) Ohio County shall have four magistrates;
- 42 (36) Pendleton County shall have two magistrates;
- 43 (37) Pleasants County shall have two magistrates;
- 44 (38) Pocahontas County shall have two magistrates;
- 45 (39) Preston County shall have three magistrates;
- 46 (40) Putnam County shall have three magistrates;
- 47 (41) Raleigh County shall have five magistrates;
- 48 (42) Randolph County shall have three magistrates;
- 49 (43) Ritchie County shall have two magistrates;
- 50 (44) Roane County shall have two magistrates;
- 51 (45) Summers County shall have two magistrates;

- 52 (46) Taylor County shall have two magistrates;
- 53 (47) Tucker County shall have two magistrates;
- 54 (48) Tyler County shall have two magistrates;
- 55 (49) Upshur County shall have two magistrates;
- 56 (50) Wayne County shall have three magistrates;
- 57 (51) Webster County shall have two magistrates;
- 58 (52) Wetzel County shall have two magistrates;
- 59 (53) Wirt County shall have two magistrates;
- 60 (54) Wood County shall have four magistrates; and
- 61 (55) Wyoming County shall have three magistrates.

62 (c) Beginning on January 1, 2025, the number of magistrates in each county of the state
63 shall be as follows:

64 (1) Barbour County shall have two magistrates, who shall be elected at the regularly
65 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

66 (2) Berkeley County shall have seven magistrates, who shall be elected at the regularly
67 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

68 (3) Boone County shall have two magistrates, who shall be elected at the regularly
69 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

70 (4) Braxton County shall have two magistrates, who shall be elected at the regularly
71 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

72 (5) Brooke County shall have two magistrates, who shall be elected at the regularly
73 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

74 (6) Cabell County shall have seven magistrates, who shall be elected at the regularly
75 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

76 (7) Calhoun County shall have two magistrates, who shall be elected at the regularly
77 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

78 (8) Clay County shall have two magistrates, who shall be elected at the regularly
79 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

80 (9) Doddridge County shall have two magistrates, who shall be elected at the regularly
81 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

82 (10) Fayette County shall have four magistrates, who shall be elected at the regularly
83 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

84 (11) Gilmer County shall have two magistrates, who shall be elected at the regularly
85 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

86 (12) Grant County shall have two magistrates, who shall be elected at the regularly
87 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

88 (13) Greenbrier County shall have three magistrates, who shall be elected at the regularly
89 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

90 (14) Hampshire County shall have two magistrates, who shall be elected at the regularly
91 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

92 (15) Hancock County shall have three magistrates, who shall be elected at the regularly
93 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

94 (16) Hardy County shall have two magistrates, who shall be elected at the regularly
95 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

96 (17) Harrison County shall have five magistrates, who shall be elected at the regularly
97 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

98 (18) Jackson County shall have two magistrates, who shall be elected at the regularly
99 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

100 (19) Jefferson County shall have four magistrates, who shall be elected at the regularly
101 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

102 (20) Kanawha County shall have 13 magistrates, who shall be elected at the regularly
103 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

104 (21) Lewis County shall have two magistrates, who shall be elected at the regularly
105 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

106 (22) Lincoln County shall have two magistrates, who shall be elected at the regularly
107 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

108 (23) Logan County shall have four magistrates, who shall be elected at the regularly
109 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

110 (24) Marion County shall have four magistrates, who shall be elected at the regularly
111 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

112 (25) Marshall County shall have three magistrates, who shall be elected at the regularly
113 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

114 (26) Mason County shall have two magistrates, who shall be elected at the regularly
115 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

116 (27) McDowell County shall have three magistrates, who shall be elected at the regularly
117 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

118 (28) Mercer County shall have five magistrates, who shall be elected at the regularly
119 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

120 (29) Mineral County shall have two magistrates, who shall be elected at the regularly
121 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

122 (30) Mingo County shall have three magistrates, who shall be elected at the regularly
123 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

124 (31) Monongalia County shall have six magistrates, who shall be elected at the regularly
125 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

126 (32) Monroe County shall have two magistrates, who shall be elected at the regularly
127 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

128 (33) Morgan County shall have two magistrates, who shall be elected at the regularly
129 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

130 (34) Nicholas County shall have three magistrates, who shall be elected at the regularly
131 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

132 (35) Ohio County shall have four magistrates, who shall be elected at the regularly
133 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

134 (36) Pendleton County shall have two magistrates, who shall be elected at the regularly
135 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

136 (37) Pleasants County shall have two magistrates, who shall be elected at the regularly
137 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

138 (38) Pocahontas County shall have two magistrates, who shall be elected at the regularly
139 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

140 (39) Preston County shall have three magistrates, who shall be elected at the regularly
141 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

142 (40) Putnam County shall have three magistrates, who shall be elected at the regularly
143 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

144 (41) Raleigh County shall have six magistrates, who shall be elected at the regularly
145 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

146 (42) Randolph County shall have three magistrates, who shall be elected at the regularly
147 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

148 (43) Ritchie County shall have two magistrates, who shall be elected at the regularly
149 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

150 (44) Roane County shall have two magistrates, who shall be elected at the regularly
151 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

152 (45) Summers County shall have two magistrates, who shall be elected at the regularly
153 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

154 (46) Taylor County shall have two magistrates, who shall be elected at the regularly
155 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

156 (47) Tucker County shall have two magistrates, who shall be elected at the regularly
157 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

158 (48) Tyler County shall have two magistrates, who shall be elected at the regularly
159 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

160 (49) Upshur County shall have two magistrates, who shall be elected at the regularly
161 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

162 (50) Wayne County shall have three magistrates, who shall be elected at the regularly
163 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

164 (51) Webster County shall have two magistrates, who shall be elected at the regularly
165 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

166 (52) Wetzel County shall have two magistrates, who shall be elected at the regularly
167 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

168 (53) Wirt County shall have two magistrates, who shall be elected at the regularly
169 scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

170 (54) Wood County shall have five magistrates, who shall be elected at the regularly
171 scheduled election(s) to be held in the year 2024, and every fourth year thereafter; and

172 (55) Wyoming County shall have three magistrates, who shall be elected at the regularly
173 scheduled election(s) to be held in the year 2024, and every fourth year thereafter.

174 (d) In the year 2026, the Supreme Court of Appeals shall conduct or otherwise arrange for
175 a caseload study of the magistrate courts of this state for the purpose of determining how many
176 magistrates are needed in each county. Based upon the results of this study and upon
177 consideration of county population data from the most recent decennial census, the Supreme
178 Court of Appeals shall enter an administrative order on or before January 5, 2027, containing the
179 Supreme Court of Appeal's recommendations as to the number of magistrates who are needed
180 in each of the state's 55 counties for the four-year terms of office to be filled by election in the
181 year 2028. Attested copies of the administrative order shall be provided to the President of the

182 West Virginia Senate, the Clerk of the Senate, the Clerk and the Speaker of the West Virginia
183 House of Delegates, and the West Virginia Secretary of State.

184 (e) The West Virginia Legislature may reject the allocation of magistrates recommended
185 by the Supreme Court of Appeals in its administrative order entered for the judicial elections to be
186 held in 2028, and allocate magistrates for the four-year terms commencing in January of 2029,
187 and serving through December of 2032, as the Legislature may choose by enactment of a bill
188 containing such an allocation.

189 (f) If the Legislature does not enact a different allocation of the magistrates to be elected
190 in 2028, pursuant to subsection (e) of this section, then the administrative order of the Supreme
191 Court of Appeals required by subsection (d) of this section shall become the certification to the
192 ballot commissioners of each county in this state of the number of magistrates to be elected in
193 each county of this state at the judicial elections to be held concurrently with the primary election.

194 (g) The process set forth in this section shall be repeated every four years in the first and
195 second years immediately preceding the quadrennial election of magistrates.

§50-1-8. Magistrate court clerks; salaries; duties; duties of circuit clerk.

1 (a) In each county having three or more magistrates, the judge of the circuit court or the
2 chief judge of the circuit court, if there is more than one judge of the circuit court, shall appoint a
3 magistrate court clerk. In all other counties the judge may appoint a magistrate court clerk or may,
4 by rule, require the duties of the magistrate court clerk to be performed by the clerk of the circuit
5 court, in which event the circuit court clerk is entitled to additional compensation in the amount of
6 \$2,500 per year. The magistrate court clerk serves at the will and pleasure of the circuit judge.

7 (b) Magistrate court clerks shall be paid at least twice per month by the state. The annual
8 salary of all magistrate court clerks is \$52,296. Beginning July 1, 2023, the annual salary of a
9 magistrate court clerk shall be \$54,596. Magistrate court clerks may receive any general salary
10 increase granted to state employees, whose salaries are not set by statute, expressed as a
11 percentage increase or an across-the-board increase, implemented after July 1, 2023.

12 (c) In addition to other duties that may be imposed by the provisions of this chapter or by
13 the rules of the Supreme Court of Appeals or the judge of the circuit court or the chief judge of
14 the circuit court if there is more than one judge of the circuit court, it is the duty of the magistrate
15 court clerk to establish and maintain appropriate dockets and records in a centralized system for
16 the magistrate court, to assist in the preparation of the reports required of the court and to carry
17 out on behalf of the magistrates or chief magistrate if a chief magistrate is appointed, the
18 administrative duties of the court.

19 (d) The magistrate court clerk, or if there is no magistrate court clerk in the county, the
20 clerk of the circuit court, may issue all manner of civil process and require the enforcement of
21 subpoenas and subpoenas duces tecum in magistrate court.

§50-1-9. Magistrate assistants; salary; duties.

1 (a) In each county there shall be at least one magistrate assistant for each magistrate;
2 however, the Supreme Court of Appeals may authorize additional magistrate assistants if the
3 workload of a county's magistrate court requires extra staff support. Each magistrate assistant
4 shall be appointed by the magistrate under whose authority and supervision and at whose will
5 and pleasure he or she shall serve. If more than one magistrate assistant per magistrate is
6 approved by the Supreme Court of Appeals, then the chief magistrate, or chief circuit judge if no
7 chief magistrate is designated, shall appoint, supervise, and assign job duties for any additional
8 magistrate assistant as needed for that county. The assistant shall not be a member of the
9 immediate family of any magistrate and shall not have been convicted of a felony or any
10 misdemeanor involving moral turpitude and shall reside in the State of West Virginia. For the
11 purpose of this section, "immediate family" means the relationships of mother, father, sister,
12 brother, child, or spouse.

13 (b) A magistrate assistant shall have the duties, clerical or otherwise, assigned by the
14 magistrate and prescribed by the rules of the Supreme Court of Appeals or the judge of the circuit
15 court, or the chief judge of the circuit court if there is more than one judge of the circuit court. In

16 addition to these duties, magistrate assistants shall perform and are accountable to the magistrate
17 court clerks with respect to the following duties:

18 (1) The preparation of summons in civil actions;

19 (2) The assignment of civil actions to the various magistrates;

20 (3) The collection of all costs, fees, fines, forfeitures, and penalties which are payable to
21 the court;

22 (4) The submission of moneys, along with an accounting of the moneys, to appropriate
23 authorities as provided by law;

24 (5) The daily disposition of closed files which are to be located in the magistrate clerk's
25 office;

26 (6) All duties related to the gathering of information and documents necessary for the
27 preparation of administrative reports and documents required by the rules of the Supreme Court
28 of Appeals, the judge of the circuit court or the chief judge of the circuit court if there is more than
29 one judge of the circuit court;

30 (7) All duties relating to the notification, certification, and payment of jurors serving
31 pursuant to the terms of this chapter; and

32 (8) All other duties or responsibilities whereby the magistrate assistant is accountable to
33 the magistrate court clerk as determined by the magistrate.

34 (c) Magistrate assistants shall be paid at least twice per month by the state. The annual
35 salary of all magistrate assistants is \$46,932. Beginning July 1, 2023, the annual salary of a
36 magistrate assistant shall be \$49,232. Magistrate assistants may receive any general salary
37 increase granted to state employees, whose salaries are not set by statute, expressed as a
38 percentage increase or an across-the-board increase enacted after July 1, 2023.

§50-1-9a. Magistrate court deputy clerks; duties; salary.

1 (a) Whenever required by workload and upon the recommendation of the judge of the
2 circuit court, or the chief judge of the circuit court if there is more than one judge of the circuit
3 court, the Supreme Court of Appeals may provide by rule for the appointment of magistrate court
4 deputy clerks. The magistrate court deputy clerks shall be appointed by the judge of the circuit
5 court, or the chief judge of the circuit court if there is more than one judge of the circuit court, to
6 serve at his or her will and pleasure under the immediate supervision of the magistrate court clerk.

7 (b) Magistrate court deputy clerks shall have the duties, clerical or otherwise, as may be
8 assigned by the magistrate court clerk and as may be prescribed by the rules of the Supreme
9 Court of Appeals, the judge of the circuit court, or the chief judge of the circuit court, if there is
10 more than one judge of the circuit court. Magistrate court deputy clerks may also exercise the
11 power and perform the duties of the magistrate court clerk as may be delegated or assigned by
12 the magistrate court clerk.

13 (c) A magistrate court deputy clerk may not be an immediate family member of any
14 magistrate, magistrate court clerk, magistrate assistant, or judge of the circuit court within the
15 same county; may not have been convicted of a felony or any misdemeanor involving moral
16 turpitude; and must reside in this state. For purposes of this subsection, "immediate family
17 member" means a mother, father, sister, brother, child, or spouse.

18 (d) Magistrate court deputy clerks shall be paid at least twice per month by the state. The
19 annual salary of all magistrate court deputy clerks is \$46,932. Beginning July 1, 2023, the annual
20 salary of a magistrate court deputy clerk shall be \$49,232. Magistrate court deputy clerks may
21 receive any general salary increase granted to state employees whose salaries are not set by
22 statute, expressed as a percentage increase or an across-the-board increase implemented after
23 July 1, 2023.

§50-1-9c. Additional magistrate court support staff; duties; salary.

1 The Supreme Court of Appeals is authorized to create additional classifications of support
2 staff that it deems necessary to adequately and efficiently staff the magistrate courts of this state,

3 including, but not limited to cashiers, data entry clerks, and deputy magistrate assistants. The
4 Supreme Court of Appeals may determine the authority to hire and terminate, supervise, and
5 assign job duties for these positions pursuant to its own employment rules, policies, and
6 procedures. The annual salary of additional support staff authorized by this section shall not
7 exceed the regular annual salary of a magistrate assistant and shall be paid by the state on the
8 same basis and in the same amounts established for magistrate assistants in each county, as
9 provided in §50-1-9 of this code.

CHAPTER 51. COURTS AND THEIR OFFICERS.

ARTICLE 2. CIRCUIT COURTS; CIRCUIT JUDGES.

§51-2-1. Judicial circuits; terms of office; legislative findings and declarations; elections; terms of court.

1 (a) Beginning on the effective date of this subsection and until December 31, 2024, the
2 state shall be divided into the following judicial circuits with the following number of judges:

3 (1) The counties of Brooke, Hancock, and Ohio shall constitute the first circuit and shall
4 have four judges;

5 (2) The counties of Marshall, Tyler, and Wetzel shall constitute the second circuit and shall
6 have two judges;

7 (3) The counties of Doddridge, Pleasants, and Ritchie shall constitute the third circuit and
8 shall have one judge;

9 (4) The counties of Wood and Wirt shall constitute the fourth circuit and shall have three
10 judges;

11 (5) The counties of Calhoun, Jackson, Mason, and Roane shall constitute the fifth circuit
12 and shall have three judges;

13 (6) The county of Cabell shall constitute the sixth circuit and shall have four judges;

14 (7) The county of Logan shall constitute the seventh circuit and shall have two judges;

15 (8) The county of McDowell shall constitute the eighth circuit and shall have two judges;

16 (9) The county of Mercer shall constitute the ninth circuit and shall have three judges;

17 (10) The county of Raleigh shall constitute the tenth circuit and shall have four judges;

18 (11) The counties of Greenbrier and Pocahontas shall constitute the eleventh circuit and
19 shall have two judges;

20 (12) The county of Fayette shall constitute the twelfth circuit and shall have two judges;

21 (13) The county of Kanawha shall constitute the thirteenth circuit and shall have seven
22 judges;

23 (14) The counties of Braxton, Clay, Gilmer, and Webster shall constitute the fourteenth
24 circuit and shall have two judges;

25 (15) The county of Harrison shall constitute the fifteenth circuit and shall have three judges;

26 (16) The county of Marion shall constitute the sixteenth circuit and shall have two judges;

27 (17) The county of Monongalia shall constitute the seventeenth circuit and shall have three
28 judges;

29 (18) The county of Preston shall constitute the eighteenth circuit and shall have one judge;

30 (19) The counties of Barbour and Taylor shall constitute the nineteenth circuit and shall
31 have two judges;

32 (20) The county of Randolph shall constitute the twentieth circuit and shall have one judge;

33 (21) The counties of Grant, Mineral, and Tucker shall constitute the twenty-first circuit and
34 shall have two judges;

35 (22) The counties of Hampshire, Hardy, and Pendleton shall constitute the twenty-second
36 circuit and shall have two judges;

37 (23) The counties of Berkeley, Jefferson, and Morgan shall constitute the twenty-third
38 circuit and shall have six judges;

39 (24) The county of Wayne shall constitute the twenty-fourth circuit and shall have two
40 judges;

41 (25) The counties of Lincoln and Boone shall constitute the twenty-fifth circuit and shall
42 have two judges;

43 (26) The counties of Lewis and Upshur shall constitute the twenty-sixth circuit and shall
44 have two judges;

45 (27) The county of Wyoming shall constitute the twenty-seventh circuit and shall have one
46 judge;

47 (28) The county of Nicholas shall constitute the twenty-eighth circuit and shall have one
48 judge;

49 (29) The county of Putnam shall constitute the twenty-ninth circuit and shall have two
50 judges;

51 (30) The county of Mingo shall constitute the thirtieth circuit and shall have one judge; and

52 (31) The counties of Monroe and Summers shall constitute the thirty-first circuit and shall
53 have one judge.

54 (b) Effective January 1, 2025, the state shall be divided into the following judicial circuits
55 with the following number of judges who shall be elected by the voters of the entire circuit, but in
56 separate divisions, as required by §3-5-6b of this code.

57 (1) The counties of Brooke, Hancock, and Ohio shall constitute the first circuit and shall
58 have four judges, who shall be elected at the regularly scheduled election(s) to be held in the year
59 2024, and every eighth year thereafter;

60 (2) The counties of Marshall, Tyler, and Wetzel shall constitute the second circuit and shall
61 have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year
62 2024, and every eighth year thereafter;

63 (3) The counties of Doddridge, Pleasants, Ritchie, and Wirt shall constitute the third circuit
64 and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held
65 in the year 2024, and every eighth year thereafter: *Provided*, That no more than one judge shall
66 be a resident of any county comprising the third circuit: *Provided, however*, That if the highest

67 vote recipients in both divisions are also both residents of the same county, then the candidate
68 with the highest overall number of votes shall be declared the winner of the division in which he
69 or she ran: *Provided, further*, That the candidate who has the highest number of votes in the other
70 division who is not a resident of the same county as the highest overall vote recipient shall be
71 declared the winner of the division in which he or she ran;

72 (4) The county of Wood shall constitute the fourth circuit and shall have three judges, who
73 shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
74 eighth year thereafter;

75 (5) The counties of Calhoun, Jackson, Mason, and Roane shall constitute the fifth circuit
76 and shall have three judges, who shall be elected at the regularly scheduled election(s) to be held
77 in the year 2024, and every eighth year thereafter: *Provided*, That Division 1 in the fifth circuit
78 shall be for a judge who resides in Jackson County at the time of his or her filing and for the
79 duration of his or her service, Division 2 in the fifth circuit shall be for a judge who resides in
80 Mason County at the time of his or her filing and for the duration of his or her service, and Division
81 3 in the fifth circuit shall be for a judge who resides in either Calhoun County or Roane County at
82 the time of his or her filing and for the duration of his or her service;

83 (6) The county of Cabell shall constitute the sixth circuit and shall have four judges, who
84 shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
85 eighth year thereafter;

86 (7) The county of Putnam shall constitute the seventh circuit and shall have two judges,
87 who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
88 eighth year thereafter;

89 (8) The county of Kanawha shall constitute the eighth circuit and shall have eight judges,
90 who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
91 eighth year thereafter;

92 (9) The counties of Boone and Lincoln shall constitute the ninth circuit and shall have two
93 judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024,
94 and every eighth year thereafter;

95 (10) The county of Wayne shall constitute the tenth circuit and shall have two judges, who
96 shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
97 eighth year thereafter;

98 (11) The counties of Logan and Mingo shall constitute the eleventh circuit and shall have
99 three judges, who shall be elected at the regularly scheduled election(s) to be held in the year
100 2024, and every eighth year thereafter: *Provided*, That Division 1 in the eleventh circuit shall be
101 for a judge who will reside at the time of his or her filing and during his or her service in Mingo
102 County, Division 2 in the eleventh circuit shall be for a judge who will reside at the time of his or
103 her filing and during his or her service in Logan County, and Division 3 in the eleventh circuit shall
104 be for a judge who will reside at the time of his or her filing and during his or her service in Logan
105 County;

106 (12) The counties of McDowell and Wyoming shall constitute the twelfth circuit and shall
107 have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year
108 2024, and every eighth year thereafter: *Provided*, That Division 1 in the twelfth circuit shall be for
109 a judge who will reside at the time of his or her filing and during his or her service in McDowell
110 County, and Division 2 in the twelfth circuit shall be for a judge who will reside at the time of his
111 or her filing and during his or her service in Wyoming County;

112 (13) The county of Mercer shall constitute the thirteenth circuit and shall have three judges,
113 who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
114 eighth year thereafter;

115 (14) The county of Raleigh shall constitute the fourteenth circuit and shall have four
116 judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024,
117 and every eighth year thereafter;

118 (15) The county of Fayette shall constitute the fifteenth circuit and shall have two judges,
119 who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
120 eighth year thereafter;

121 (16) The county of Nicholas shall constitute the sixteenth circuit and shall have two judges,
122 who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
123 eighth year thereafter;

124 (17) The counties of Braxton, Clay, Gilmer, and Webster shall constitute the seventeenth
125 circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to
126 be held in the year 2024, and every eighth year thereafter: *Provided*, That no more than one judge
127 shall be a resident of any county comprising the seventeenth circuit: *Provided, however*, That if
128 the highest vote recipients in both divisions are also both residents of the same county, then the
129 candidate with the highest overall number of votes shall be declared the winner of the division in
130 which he or she ran: *Provided, further*, That the candidate who has the highest number of votes
131 in the other division who is not a resident of the same county as the highest overall vote recipient
132 shall be declared the winner of the division in which he or she ran;

133 (18) The counties of Lewis and Upshur shall constitute the eighteenth circuit and shall
134 have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year
135 2024, and every eighth year thereafter: *Provided*, That Division 1 in the eighteenth circuit shall be
136 for a judge who will reside at the time of his or her filing and during his or her service in Upshur
137 County, and Division 2 in the eighteenth circuit shall be for a judge who will reside at the time of
138 his or her filing and during his or her service in Lewis County;

139 (19) The county of Harrison shall constitute the nineteenth circuit and shall have three
140 judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024,
141 and every eighth year thereafter;

142 (20) The county of Marion shall constitute the twentieth circuit and shall have two judges,
143 who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every
144 eighth year thereafter;

145 (21) The county of Monongalia shall constitute the twenty-first circuit and shall have three
146 judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024,
147 and every eighth year thereafter;

148 (22) The counties of Preston and Tucker shall constitute the twenty-second circuit and
149 shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in
150 the year 2024, and every eighth year thereafter;

151 (23) The counties of Barbour and Taylor shall constitute the twenty-third circuit and shall
152 have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year
153 2024, and every eighth year thereafter;

154 (24) The county of Randolph shall constitute the twenty-fourth circuit and shall have two
155 judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024,
156 and every eighth year thereafter;

157 (25) The counties of Grant and Mineral shall constitute the twenty-fifth circuit and shall
158 have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year
159 2024, and every eighth year thereafter;

160 (26) The counties of Hampshire, Hardy, and Pendelton shall constitute the twenty-sixth
161 circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to
162 be held in the year 2024, and every eighth year thereafter;

163 (27) The counties of Berkley and Morgan shall constitute the twenty-seventh circuit and
164 shall have five judges, who shall be elected at the regularly scheduled election(s) to be held in
165 the year 2024, and every eighth year thereafter;

166 (28) The county of Jefferson shall constitute the twenty-eighth circuit and shall have two
167 judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024,
168 and every eighth year thereafter;

169 (29) The counties of Greenbrier and Pocahontas shall constitute the twenty-ninth circuit
170 and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held
171 in the year 2024, and every eighth year thereafter; and

172 (30) The counties of Monroe and Summers shall constitute the thirtieth circuit and shall
173 have one judge, who shall be elected at the regularly scheduled election(s) to be held in the year
174 2024, and every eighth year thereafter.

175 (c) The Raleigh County circuit court shall be a court of concurrent jurisdiction with the
176 remaining single-judge circuit where the sitting judge in the single-judge circuit is unavailable by
177 reason of sickness, vacation, or other reason.

178 (d) Any judge in office on the effective date of the reenactment of this section shall continue
179 as a judge of the circuit as constituted under prior enactments of this section, unless sooner
180 removed or retired as provided by law, until December 31, 2024.

181 (e) The term of office of all circuit court judges shall be for eight years. The term of office
182 for all circuit court judges elected during an election conducted in the year 2024, shall commence
183 on January 1, 2025, and end on December 31, 2032.

184 (f) For election purposes, in every judicial circuit having two or more judges there shall be
185 numbered divisions corresponding to the number of circuit judges in each circuit. Each judge shall
186 be elected at large from the entire circuit. In each numbered division of a judicial circuit, the
187 candidates for election shall be voted upon, and the votes cast for the candidates in each division
188 shall be tallied separately from the votes cast for candidates in other numbered divisions within
189 the circuit. The candidate receiving the highest number of the votes cast within a numbered
190 division shall be elected, except as provided above with respect to the third and seventeenth
191 circuits.

192 (g) The Supreme Court of Appeals shall, by rule, establish the terms of court of circuit
193 judges.

ARTICLE 2A. FAMILY COURTS.

**§51-2A-3. Number of family court judges; assignment of family court judges by family court
circuits.**

1 (a) Beginning on the effective date of this subsection and until December 31, 2024, 47
2 family court judges shall serve throughout the state, allocated among a total of 27 family court
3 circuits as follows:

4 (1) The counties of Brooke, Hancock, and Ohio shall constitute the first family court circuit
5 and have two family court judges;

6 (2) The counties of Marshall, Wetzel, and Tyler shall constitute the second family court
7 circuit and have one family court judge;

8 (3) The counties of Pleasants and Wood shall constitute the third family court circuit and
9 have two family court judges;

10 (4) The counties of Roane, Calhoun, Gilmer, and Ritchie shall constitute the fourth family
11 court circuit and have one family court judge;

12 (5) The counties of Mason, Jackson, and Wirt shall constitute the fifth family court circuit
13 and have two family court judges;

14 (6) The county of Cabell shall constitute the sixth family court circuit and have three family
15 court judges;

16 (7) The county of Wayne shall constitute the seventh family court circuit and have one
17 family court judge;

18 (8) The county of Mingo shall constitute the eighth family court circuit and have one family
19 court judge;

20 (9) The county of Logan shall constitute the ninth family court circuit and have two family
21 court judges;

22 (10) The counties of Lincoln and Boone shall constitute the tenth family court circuit and
23 have two family court judges;

24 (11) The county of Kanawha shall constitute the eleventh family court circuit and have five
25 family court judges;

26 (12) The counties of McDowell and Mercer shall constitute the twelfth family court circuit
27 and have three family court judges;

28 (13) The counties of Raleigh, Summers, and Wyoming shall constitute the thirteenth family
29 court circuit and have three family court judges;

30 (14) The county of Fayette shall constitute the fourteenth family court circuit and have one
31 family court judge;

32 (15) The counties of Greenbrier and Monroe shall constitute the fifteenth family court
33 circuit and have one family court judge;

34 (16) The counties of Clay and Nicholas shall constitute the sixteenth family court circuit
35 and have one family court judge;

36 (17) The counties of Braxton, Lewis, and Upshur shall constitute the seventeenth family
37 court circuit and have one family court judge;

38 (18) The counties of Harrison and Doddridge shall constitute the eighteenth family court
39 circuit and have two family court judges;

40 (19) The county of Marion shall constitute the nineteenth family court circuit and have one
41 family court judge;

42 (20) The counties of Monongalia and Preston shall constitute the twentieth family court
43 circuit and have two family court judges;

44 (21) The counties of Barbour and Taylor shall constitute the twenty-first family court circuit
45 and have one family court judge;

46 (22) The counties of Tucker and Randolph shall constitute the twenty-second family court
47 circuit and have one family court judge;

48 (23) The counties of Mineral, Hampshire and Morgan shall constitute the twenty-third
49 family court circuit and have two family court judges;

50 (24) The counties of Berkeley and Jefferson shall constitute the twenty-fourth family court
51 circuit and have three family court judges;

52 (25) The counties of Hardy, Pendleton, and Grant shall constitute the twenty-fifth family
53 court circuit and have one family court judge;

54 (26) The county of Putnam shall constitute the twenty-sixth family court circuit and have
55 one family court judge; and

56 (27) The counties of Webster and Pocahontas shall constitute the twenty-seventh family
57 court circuit and have one family court judge.

58 (b) Effective January 1, 2025, 48 family court judges shall serve throughout the state,
59 allocated among a total of 27 family court circuits as follows:

60 (1) The counties of Brooke, Hancock, and Ohio shall constitute the first family court circuit
61 and have two family court judges, who shall be elected at the regularly scheduled election(s) to
62 be held in the year 2024, and every eighth year thereafter;

63 (2) The counties of Marshall, Wetzel, and Tyler shall constitute the second family court
64 circuit and have one family court judge, who shall be elected at the regularly scheduled election(s)
65 to be held in the year 2024, and every eighth year thereafter;

66 (3) The counties of Pleasants and Wood shall constitute the third family court circuit and
67 have two family court judges, who shall be elected at the regularly scheduled election(s) to be
68 held in the year 2024, and every eighth year thereafter;

69 (4) The counties of Roane, Calhoun, Gilmer, and Ritchie shall constitute the fourth family
70 court circuit and have one family court judge, who shall be elected at the regularly scheduled
71 election(s) to be held in the year 2024, and every eighth year thereafter;

72 (5) The counties of Mason, Jackson, and Wirt shall constitute the fifth family court circuit
73 and have two family court judges, who shall be elected at the regularly scheduled election(s) to
74 be held in the year 2024, and every eighth year thereafter;

75 (6) The county of Cabell shall constitute the sixth family court circuit and have three family
76 court judges, who shall be elected at the regularly scheduled election(s) to be held in the year
77 2024, and every eighth year thereafter;

78 (7) The county of Wayne shall constitute the seventh family court circuit and have one
79 family court judge, who shall be elected at the regularly scheduled election(s) to be held in the
80 year 2024, and every eighth year thereafter;

81 (8) The county of Mingo shall constitute the eighth family court circuit and have one family
82 court judge, who shall be elected at the regularly scheduled election(s) to be held in the year
83 2024, and every eighth year thereafter;

84 (9) The county of Logan shall constitute the ninth family court circuit and have two family
85 court judges, who shall be elected at the regularly scheduled election(s) to be held in the year
86 2024, and every eighth year thereafter;

87 (10) The counties of Lincoln and Boone shall constitute the tenth family court circuit and
88 have two family court judges, who shall be elected at the regularly scheduled election(s) to be
89 held in the year 2024, and every eighth year thereafter;

90 (11) The county of Kanawha shall constitute the eleventh family court circuit and have five
91 family court judges, who shall be elected at the regularly scheduled election(s) to be held in the
92 year 2024, and every eighth year thereafter;

93 (12) The counties of McDowell and Mercer shall constitute the twelfth family court circuit
94 and have three family court judges, who shall be elected at the regularly scheduled election(s) to
95 be held in the year 2024, and every eighth year thereafter;

96 (13) The counties of Raleigh, Summers, and Wyoming shall constitute the thirteenth family
97 court circuit and have three family court judges, who shall be elected at the regularly scheduled
98 election(s) to be held in the year 2024, and every eighth year thereafter;

99 (14) The county of Fayette shall constitute the fourteenth family court circuit and have one
100 family court judge, who shall be elected at the regularly scheduled election(s) to be held in the
101 year 2024, and every eighth year thereafter;

102 (15) The counties of Greenbrier and Monroe shall constitute the fifteenth family court
103 circuit and have one family court judge, who shall be elected at the regularly scheduled election(s)
104 to be held in the year 2024, and every eighth year thereafter;

105 (16) The counties of Clay and Nicholas shall constitute the sixteenth family court circuit
106 and have one family court judge, who shall be elected at the regularly scheduled election(s) to be
107 held in the year 2024, and every eighth year thereafter;

108 (17) The counties of Lewis and Upshur shall constitute the seventeenth family court circuit
109 and have one family court judge, who shall be elected at the regularly scheduled election(s) to be
110 held in the year 2024, and every eighth year thereafter;

111 (18) The counties of Harrison and Doddridge shall constitute the eighteenth family court
112 circuit and have two family court judges, who shall be elected at the regularly scheduled
113 election(s) to be held in the year 2024, and every eighth year thereafter;

114 (19) The county of Marion shall constitute the nineteenth family court circuit and have one
115 family court judge, who shall be elected at the regularly scheduled election(s) to be held in the
116 year 2024, and every eighth year thereafter;

117 (20) The counties of Monongalia and Preston shall constitute the twentieth family court
118 circuit and have two family court judges, who shall be elected at the regularly scheduled
119 election(s) to be held in the year 2024, and every eighth year thereafter;

120 (21) The counties of Barbour and Taylor shall constitute the twenty-first family court circuit
121 and have one family court judge, who shall be elected at the regularly scheduled election(s) to be
122 held in the year 2024, and every eighth year thereafter;

123 (22) The counties of Tucker and Randolph shall constitute the twenty-second family court
124 circuit and have one family court judge, who shall be elected at the regularly scheduled election(s)
125 to be held in the year 2024, and every eighth year thereafter;

126 (23) The counties of Mineral, Hampshire, and Morgan shall constitute the twenty-third
127 family court circuit and have two family court judges, who shall be elected at the regularly
128 scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

129 (24) The counties of Berkeley and Jefferson shall constitute the twenty-fourth family court
130 circuit and have four family court judges with the additional family court judge to be elected at the
131 regularly scheduled election held in 2024, and every eighth year thereafter;

132 (25) The counties of Hardy, Pendleton, and Grant shall constitute the twenty-fifth family
133 court circuit and have one family court judge, who shall be elected at the regularly scheduled
134 election(s) to be held in the year 2024, and every eighth year thereafter;

135 (26) The county of Putnam shall constitute the twenty-sixth family court circuit and have
136 one family court judge, who shall be elected at the regularly scheduled election(s) to be held in
137 the year 2024, and every eighth year thereafter; and

138 (27) The counties of Webster, Braxton, and Pocahontas shall constitute the twenty-
139 seventh family court circuit and have one family court judge, who shall be elected at the regularly
140 scheduled election(s) to be held in the year 2024, and every eighth year thereafter.

141 (c) Family court judges taking office January 1, 2025, shall be elected at the regularly
142 scheduled election(s) occurring in the year 2024, and shall serve for a term of eight years.

143 (d) The Legislature has the authority and may determine to realign the family court circuits
144 and has the authority and may determine to increase or decrease the number of family court
145 judges within a family court circuit, from time to time. Any person appointed or elected to the office

146 of family court judge acknowledges the authority of the Legislature to realign family court circuits
147 and the authority of the Legislature to increase or decrease the number of family court judges
148 within a family court circuit.

§51-2A-6. Compensation and expenses of family court judges and their staffs.

1 (a) A family court judge is entitled to receive as compensation for his or her services an
2 annual salary of \$62,500: *Provided*, That beginning July 1, 2005, a family court judge is entitled
3 to receive as compensation for his or her services an annual salary of \$82,500: *Provided*,
4 *however*, That beginning July 1, 2011, the annual salary of a family court judge shall be \$94,500:
5 *Provided further*, That beginning July 1, 2020, the annual salary of a family court judge shall be
6 \$103,950.

7 (b) The secretary-clerk of the family court judge is appointed by the family court judge and
8 serves at his or her will and pleasure. The secretary-clerk of the family court shall be paid at least
9 twice per month by the state. The annual salary of all secretary-clerks of the family court is
10 \$42,576. Beginning July 1, 2023, the annual salary of a family court secretary-clerk shall be
11 \$44,876. Family court secretary-clerks may receive any general salary increase granted to state
12 employees, whose salaries are not set by statute, expressed as a percentage increase or an
13 across-the-board increase enacted after July 1, 2023.

14 (c) The family court judge may employ not more than one family case coordinator who
15 serves at his or her will and pleasure: *Provided*, That the Supreme Court of Appeals may authorize
16 additional family case coordinators if the workload of a circuit's family court requires extra staff
17 support. The annual salary of the family case coordinator of the family court judge shall be
18 established by the Administrative Director of the Supreme Court of Appeals but may not exceed
19 \$54,576. Beginning July 1, 2023, the annual salary of a family court case coordinator shall not
20 exceed \$56,876. Family court case coordinators may receive any general salary increase granted
21 to state employees, whose salaries are not set by statute, expressed as a percentage increase
22 or an across-the-board increase enacted after July 1, 2023. If more than one family case

23 coordinator is approved by the Supreme Court of Appeals, then the chief family court judge of
24 that circuit shall appoint, supervise, and assign job duties for any additional family case
25 coordinator as needed for that circuit.

26 (d) The sheriff or his or her designated deputy shall serve as a bailiff for a family court
27 judge. The sheriff of each county shall serve or designate persons to serve so as to assure that
28 a bailiff is available when a family court judge determines the same is necessary for the orderly
29 and efficient conduct of the business of the family court.

30 (e) Disbursement of salaries for family court judges and members of their staffs are made
31 by or pursuant to the order of the Director of the Administrative Office of the Supreme Court of
32 Appeals.

33 (f) Family court judges and members of their staffs staff are allowed their actual and
34 necessary expenses incurred in the performance of their duties. The expenses and compensation
35 will be determined and paid by the Director of the Administrative Office of the Supreme Court of
36 Appeals under such guidelines as he or she may prescribe, as approved by the Supreme Court
37 of Appeals.

38 (g) The Supreme Court of Appeals is authorized to create additional classifications of
39 support staff that it deems necessary to adequately and efficiently staff the family courts of this
40 state, including, but not limited to, receptionists, assistant case coordinators, and assistant
41 secretary-clerks. The Supreme Court of Appeals may determine the authority to hire and
42 terminate, supervise, and assign job duties for these positions pursuant to its own employment
43 rules, policies, and procedures. The annual salary of additional support staff authorized by this
44 section shall not exceed the regular annual salary of a secretary-clerk and shall be paid by the
45 state on the same basis established for secretary-clerks as provided in this section.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

.....
Clerk of the House of Delegates

.....
Clerk of the Senate

Originated in the House of Delegates.

In effect ninety days from passage.

.....
Speaker of the House of Delegates

.....
President of the Senate

The within is this the.....
Day of, 2023.

.....
Governor